

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re: ZYPREXA PRODUCTS LIABILITY :
LITIGATION :

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THIS DOCUMENT RELATES TO: :

ALL ACTIONS :

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MDL No. 1596

**ORDER FOR MANDATORY
INJUNCTION**

04-Md-1596 **FILED**
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 28 2006 ★
P.M. _____
TIME A.M. _____

Upon receipt of the (i) Emergency Oral Joint Motion of members of the In Re Zyprexa Product Liability Litigation Plaintiffs' Steering Committee ("PSC") and Eli Lilly and Company to enforce compliance with Special Discovery Master Peter H. Woodin's Order dated December 15, 2006, Case Management Order No. 3 (CMO-3), and a joint request for mandatory injunction; (ii) the Report and Recommendation of Magistrate Mann dated December 18, 2006; and (iii) Mr. Gottstein's submission dated December 17, 2006; and upon having heard oral argument by counsel for the PSC, Eli Lilly and Company, and Mr. Gottstein (by his attorney, Mr. McKay), and relying on Mr. Gottstein's statements in his December 17, 2006 submission to Special Master Woodin, specifically that Mr. Gottstein has deliberately and knowingly aided and abetted Dr. David Egilman's breach of CMO-3, it is therefore

ORDERED that the Joint Motion for a Mandatory Injunction is hereby GRANTED, and Mr. Gottstein is enjoined from further dissemination of any of documents produced, pursuant to CMO-3, by Eli Lilly and Company (including all copies of any electronic documents, hard copy documents and CDs/DVDs);

It is hereby further ORDERED that:

(1) Special Master Woodin's Order dated December 15, 2006 is enforced, and Mr. Gottstein shall immediately return all documents produced, pursuant to CMO-3, by Eli Lilly and Company (including all copies of any electronic documents, hard copy documents and CDs/DVDs), and which were provided by David Egilman, M.D., M.P.H., or any other source, to the following address where they shall be maintained, under seal, until further Order:

Special Master Peter H. Woodin
JAMS
280 Park Avenue, 28th Floor
New York, New York 10017;

(2) Mr. Gottstein shall immediately, upon receipt of this Order, provide to Special Master Woodin and the parties a listing of all persons, organizations or entities to which any documents covered by this Order, or any subset thereof, were provided;

(3) Mr. Gottstein shall, within 24 hours of this Order, identify to Special Master Woodin and the parties, by specific bates stamp, the particular documents given to any person, organization or entity noted above, which shall also include the date and location such documents were disseminated;

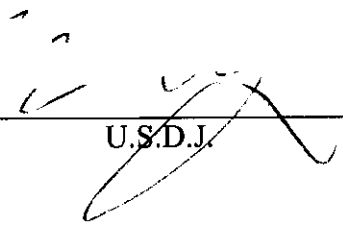
(4) Mr. Gottstein shall immediately take steps to retrieve any documents subject to this Order, regardless of their current location, and return all such documents to Special Master Woodin. This shall include the removal of any such documents posted on any website; and

(5) Mr. Gottstein shall take immediate steps to preserve, until further Order of the Court, all documents, voice mails, emails, materials, and information,

including, but not limited to all communications, that refer to, relate to or concern Dr. Egilman or any other efforts to obtain documents produced by Eli Lilly and Company.

SO ORDERED.

Dated: Brooklyn, New York
December 18, 2006



U.S.D.J.